

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE RIZALINA ABELLAN,

No. C 11-0401 PJH  
Bankr. No. 10-34186 DM

Debtor/ Appellant,

**ORDER TO SHOW CAUSE  
RE PERFECTION OF RECORD  
ON APPEAL**

On January 27, 2011, appellant Rizalina Abellan ("Abellan") appealed pro se the bankruptcy court's December 6, 2010 order dismissing his Chapter 13 bankruptcy case for failure to comply with the Bankruptcy Code's and the bankruptcy court's requirements. Pursuant to Federal Rule of Bankruptcy Procedure ("FRBP") 8006, Abellan was required to file with the Bankruptcy Court *no later than February 10, 2011*, a designation of the items to be included in the record on appeal and a statement of issues on appeal. Abellan did neither. Moreover, because Abellan never filed his designation of the items to be included in the record on appeal, the bankruptcy court never prepared and transmitted the record to this court's clerk's office, thus triggering the briefing schedule on appeal.

If Abellan wishes to proceed with this appeal, he is ORDERED to file **with the bankruptcy court** his designation of the items to be included with the record on appeal and the statement of issues on appeal as required by FRBP 8006 **no later than Friday, May 27, 2011**. Given that both items are currently three months overdue, Abellan is advised that if he fails to timely file the documents **with the bankruptcy court** in

1 accordance with this order, the court will dismiss this bankruptcy appeal for failure to  
2 prosecute pursuant to FRBP 8001.

3 **IT IS SO ORDERED.**

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5 Dated: May 13, 2011



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7 PHYLLIS J. HAMILTON  
United States District Judge

8 cc: Clerk of the Bankruptcy Court, San Francisco Div.  
9 Honorable Dennis Montali  
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